

1 DAVID J. MERRILL
Nevada Bar No. 6060
2 MORGAN F. SHAH
Nevada Bar No. 12490
3 DAVID J. MERRILL, P.C.
10161 Park Run Drive, Suite 150
4 Las Vegas, Nevada 89145
Telephone: (702) 566-1935
5 Facsimile: (702) 993-8841
E-mail: david@djmerrillpc.com
6 Attorneys for Defendant

7
8
9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA

11 DESERT PALACE, INC., a Nevada
12 corporation, d.b.a. CAESARS PALACE,
13 Plaintiff,
14 vs.
15 DANIEL KHATCHATURIAN, an individual,
and DOES I through XX,
16 Defendants.
17

Case No.: 2:12-cv-00247-KJD-(GWF)

18 **UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE**
19 **REPLY IN SUPPORT OF DEFENDANT'S MOTION TO DISMISS AMENDED**
20 **COMPLAINT, OR, IN THE ALTERNATIVE, MOTION FOR SUMMARY JUDGMENT**
21 **AND RESPONSE TO PLAINTIFF'S COUNTERMOTION FOR CERTIFICATION OF**
22 **ISSUES TO THE NEVADA SUPREME COURT**

23 **(Third Request)**

24 Defendant Daniel Khatchaturian ("Khatchaturian") respectfully submits this agreed
25 motion, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, to extend the time for
26 Khatchaturian to file a reply to plaintiff Desert Palace, Inc., d.b.a. Caesars Palace's ("Caesars")
27 Response to Khatchaturian's Motion to Dismiss Amended Complaint (Doc. 30) and a response
28 to Caesars' Countermotion for Certification of Issues to the Nevada Supreme Court (Doc. 31) as
set forth in the following memorandum of points and authorities.

MEMORANDUM OF POINTS AND AUTHORITIES

Fed. R. Civ. P. 6(b) permits a party to seek an extension of time where, as here, good cause exists for an act to be made. Pursuant to LR 6-1, Khatchaturian states that this is his third proposed extension of the time for Khatchaturian to file a reply to Caesars' Response to Khatchaturian's Motion to Dismiss Amended Complaint (Doc. 30), and this is his second proposed extension of time for Khatchaturian to file a response to Caesars' Countermotion for Certification of Issues to the Nevada Supreme Court (Doc. 31). Khatchaturian submits the following as grounds demonstrating good cause for the additional time sought and that the additional time is not the result of excusable neglect or simply for the purpose of delay:

1. On July 19, 2012, Khatchaturian filed a Motion to Dismiss Amended Complaint, or, in the Alternative, Motion for Summary Judgment (the "Motion"). (Doc. 27). Caesars filed its Response to the Motion to Dismiss Amended Complaint (the "Response") (Doc. 30) and Countermotion for Certification of Issues to the Nevada Supreme Court (the "Countermotion") (Doc. 31) on August 13, 2012.

2. Pursuant to the Stipulation and Order for Extension of Time to File Reply in Support of Def.'s Mot. to Dismiss Am. Compl., or, in the Alternative, Mot. for Summary Judgment and Response to Pl.'s Countermotion for Certification of Issues to Nevada Supreme Court (Second Request) (Doc. 35) (the "Second Request"), Khatchaturian had up to and including September 13, 2012 to file his reply to the Response and his response to the Countermotion.

3. At the time the Second Request was filed, the parties informed this Court that they agreed to settle this matter in principle, and that they were engaged in the process of formalizing their agreement.

4. Since the Second Request, the parties have reduced their agreement to writing, and they are currently working to collect all necessary signatures.

5. Khatchaturian submits that, in light of the settlement, the interests of the parties, as well as the interests of efficiency and judicial economy, are best served by extending the time

1 for Khatchaturian to file his reply to the Response and his response to the Countermotion to
2 allow the parties time to finalize their agreement.

3 6. Caesars has stated that it does not object to an additional extension of time for
4 Khatchaturian to file a reply to the Response and a response to the Countermotion.

5 For these reasons, Khatchaturian respectfully submits that good cause exists for granting
6 this unopposed motion. Accordingly, Khatchaturian requests that the Court grant an extension of
7 time for Khatchaturian to file a reply to the Response and a response to the Countermotion no
8 later than September 27, 2012. A proposed Order is submitted herewith.

9 DATED this 13th day of September 2012.

10 DAVID J. MERRILL, P.C.

11
12 By: 

13 DAVID J. MERRILL
14 MORGAN F. SHAH
15 10161 Park Run Drive, Suite 150
16 Las Vegas, Nevada 89145
17 (702) 566-1935

18 Attorneys for DANIEL KHATCHATURIAN
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DESERT PALACE, INC., a Nevada
corporation, d.b.a. CAESARS PALACE,

Plaintiff,

vs.

DANIEL KHATCHATURIAN, an individual,
and DOES I through XX,

Defendants.

Case No.: 2:12-cv-00247-KJD-(GWF)

**ORDER GRANTING UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE REPLY IN SUPPORT OF DEFENDANT'S MOTION TO DISMISS
AMENDED COMPLAINT, OR, IN THE ALTERNATIVE, MOTION FOR SUMMARY
JUDGMENT AND RESPONSE TO PLAINTIFF'S COUNTERMOTION FOR
CERTIFICATION OF ISSUES TO THE NEVADA SUPREME COURT**

Before the Court is Defendant Daniel Khatchaturian's ("Khatchaturian") Unopposed Motion for Extension of Time to File Reply in Support of Defendant's Motion to Dismiss Amended Complaint, or, in the Alternative, Motion for Summary Judgment and Response to the Plaintiff's Countermotion for Certification of Issues to the Nevada Supreme Court. The Court is of the opinion that this motion has merit and should be and hereby is GRANTED.

Khatchaturian shall have up to and including September 27, 2012 to file a reply to the plaintiff's Response to the Motion to Dismiss Amended Complaint (Doc. 30) and to file a response to the plaintiff's Countermotion for Certification of Issues to the Nevada Supreme Court (Doc. 31).

IT IS SO ORDERED this 17 day of September, 2012



HONORABLE KENT J. DAWSON
UNITED STATES DISTRICT JUDGE